



PATENT
Attorney Docket No. 021479-000300US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sudeep Rikhy et al.

Application No.: 10/691,118

Filed: October 21, 2003

For: "PULL" ARCHITECTURE
CONTACT CENTER

Customer No.: 20350

Confirmation No. 5332

Examiner: Unassigned

Technology Center/Art Unit: 2121

PETITION UNDER 37 CFR § 1.47(a)
NONSIGNING INVENTOR

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant Sudeep Rikhy hereby petitions under 37 CFR. §1.47(a) to make application on behalf of himself and on behalf of the nonsigning inventor Paul Rudnick who has refused to sign declaration for the above referenced application. Under this petition, Applicant has met the requirements of 37 CFR. §1.47(a) based upon MPEP 409.03(a) to grant this petition.

MPEP 409.03(a) includes Part (A), Part (B), and Part (C). To meet Part (A), Applicant Sudeep Rikhy has made oath or declaration on his own behalf (Appendix A). Applicant Sudeep Rikhy further requests that the oath or declaration signed by all the available joint inventors (Sudeep Rikhy) with the signature block of the nonsigning inventor (Paul Rudnick) left blank be treated as having been signed by all the available joint inventors on behalf of the nonsigning inventor. (See also Appendix A).

Additionally, MPEP 409.03(a) Parts (B) and (C) correspond to MPEP 409.03(d) and (e) respectively. Under MPEP 409.03(d), Applicant has provided an Declaration of Daniel

08/25/2004 BSAYAS11 00000019 201430 10691118

04 FC:1460 130.00 DA

Sudeep Rikhy et al.
Application No. 10/691,118

PATENT
Attorney Docket No. 021479-000300US

Mao averring that inventor Paul Rudnick refuses to sign the declaration after having been presented with the application papers including specification, claims, drawings, and declaration (Appendix B).

Pursuant to MPEP 409.03(e), Applicant states that the last known address of Paul Rudnick is 3650 Old Blackhawk Road, Danville, CA 94506. Accordingly, MPEP 409.03(a) has been met.

The Commissioner is authorized to deduct the following from the undersigned's Deposit Account No. 20-1430:

1. Declaration surcharge fee of \$65.00 pursuant to 37 C.F.R. 1.16(e); and
2. Nonsigning inventor petition fee of \$130.00 pursuant to 37 C.F.R. §1.17(h) under 37 C.F.R. §1.47(a).

Please deduct any additional fees from, or credit overpayment to, this same deposit account.

In view of the foregoing, Applicant submits that the conditions set forth by 37 C.F.R. §1.47(a) have been fully satisfied, and therefore Sudeep Rikhy is entitled to make application on behalf of himself and on behalf of the inventor Paul Rudnick who refuses to sign the declaration. Grant of this Petition is respectfully requested.

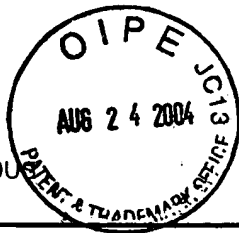
If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Daniel Mao
Reg. No. 51,995

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
Attachments
DM/ejt
60285425 v1



COPY

Appendix A

Attorney Docket No.: 021479-000300
Client Ref. No.:

PTO/SB/01A (08-03)

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention "PULL" ARCHITECTURE CONTACT CENTER

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/691,118, filed on October 21, 2003,
- ☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor 1 Sudeep Rikhy Date: 3/19/04
Signature: Sudeep Singh Rikhy Citizen of: India

Inventor 2 Paul Rudnick Date: _____
Signature: _____ Citizen of: United States

Inventor 3 _____ Date: _____
Signature: _____ Citizen of: _____

Inventor 4 _____ Date: _____
Signature: _____ Citizen of: _____

☐ Additional inventors are being named on additional form(s) attached hereto.



PATENT

Attorney Docket No.: 021479-000300US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sudeep Rikhy et al.

Application No.: 10/691,118

Filed: October 21, 2003

For: "PULL" ARCHITECTURE CONTACT CENTER

Customer No.: 20350

Confirmation No. 5332

Examiner: Unassigned

Technology Center/Art Unit: 2121

DECLARATION OF FACTS RELATING TO
NONSIGNING INVENTOR UNDER 37 CFR
1.47(a), MPEP 409.03(d)

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexander, VA 22313-1450

Sir:

I, Daniel Mao, declare as follows:

I hereby declare certain facts surrounding the signing of formal documents, including a declaration, by Paul Rudnick, an inventor who at this time refuses to sign declaration for U.S. Application Serial No. 10/691,118.

I am an attorney representing 5by5 Networks, Inc. ("5by5") in connection with the above referenced application. The named inventors of the subject application are Sudeep Rikhy and Paul Rudnick, all of whom have been employees of 5by5.

At least the following steps have been taken to obtain Mr. Rudnick's signature:

- On March 17, 2004, I sent a letter to Mr. Rudnick, via FEDEX (Tracking No. 792455037818) and enclosed among others, the declaration and the patent application as filed including specification, claims, and drawings. In the letter, I asked him to sign the declaration for the subject application. Based on information retrieved from FEDEX's on-line tracking facility, I believe that the materials were delivered to Mr. Rudnick's residence. Copies of the March 17, 2004 letter, FEDEX Tracking No.

- 792455037818, and a print-out of tracking information for FEDEX Tracking No. 792455037818 are attached as Exhibit 1.
- On March 18, 2004, I sent another letter to Mr. Rudnick, via FEDEX (Tracking No. 790583629996) and asked him again to sign the declaration enclosed in the March 17, 2004 letter. Based on information retrieved from FEDEX's on-line tracking facility, I believe that the materials were delivered to Mr. Rudnick's residence. Copies of the March 18, 2004 letter, FEDEX Tracking No. 790583629996, and a print-out of tracking information for FEDEX Tracking No. 790583629996 are attached as Exhibit 2.
- On April 30, 2004, I again sent a letter to Mr. Rudnick, via FEDEX (Tracking No. 791228771416), enclosing among others, the declaration and the patent application as filed including specification, claims, drawings. In the letter, I asked him to sign the declaration for the subject application. Additionally, I stated that "[i]f you have decided not to review the materials and sign the documents, please let me know so that we act on that basis" and "[i]f I don't hear from you by May 17, 2004, I will assume that you are refusing to sign." Based on information retrieved from FEDEX's on-line tracking facility, I believe that the materials were delivered to Mr. Rudnick's residence. Copies of the April 30, 2004 letter, FEDEX Tracking No. 791228771416, and a print-out of tracking information for FEDEX Tracking No. 791228771416 are attached as Exhibit 3.
- On May 3, 2004, I received from Mr. Rudnick a voice message at my work phone number (650) 752-2470. In the voice message, Mr. Rudnick stated that he had received the package and documentation but would not sign anything and that I would have to proceed without his signature.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Sudeep Rikhy et al.
Application No. 10/691,118

PATENT
Attorney Docket No. 021479-000300US

Dated this 20th day of August, 2004, Palo Alto, California, United States.



Daniel Mao
Reg. No. 51, 995

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
Attachments
DM/ejt

60285509 v1

TOWNSEND
and
TOWNSEND
and
CREW
LLP



San Francisco, California
Tel 415 576-0200

Denver, Colorado
Tel 303 571-4000

Walnut Creek, California
Tel 925 472-5000

Seattle, Washington
Tel 206 467-9600

Palo Alto

379 Lytton Avenue
Palo Alto
California 94301-1431
Tel 650 326-2400
Fax 650 326-2422

Appendix B
Exhibit 1
Page 1 of 4

March 17, 2004

Via FEDEX

Paul Rudnick
3650 Old Blackhawk Road
Danville, CA 94506

Re: US Patent Application No. 10/691,118
For: "PULL" ARCHITECTURE CONTACT CENTER
Inventors: Sudeep Rikhy and Paul Rudnick
Filed: October 21, 2003
Our File No.: 021479-000300US

Dear Paul:

As you know the above-identified patent application was filed without a signed Declaration and an Assignment. We have now received a Notice to File Missing Parts from the U.S. Patent and Trademark Office. The deadline for filing these formal documents is **March 22, 2004**, although extensions of time are available.

Enclosed are the **Declaration** and **Assignment**, and a copy of the patent application as filed with the U.S. Patent Office. Please sign the declaration where indicated first, then sign and date the Assignment second. Also enclosed is a **Supplemental Application Data Sheet**. Any changes to your personal information can be made on this document and we will correct it before forwarding to the Patent Office.

I look forward to receiving the signed documents on or before **March 22, 2004**. I have enclosed a FEDEX envelope for you to return the signed documents to me. Alternatively, you can fax the signed documents to my attention at (650) 326-2422.

If you have any questions, please call me at (650) 326-2400, x5470.

Very truly yours,

Daniel Mao

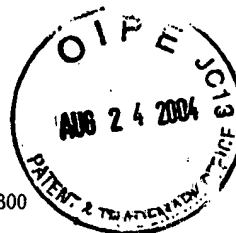
DM/ejt
Enclosures
60168212 v1

From: Origin ID: (650)326-2400
ELEANOR J. TAYLOR
TOWNSEND AND TOWNSEND AND CREW
379 LYTTON AVE

PALO ALTO, CA 94301



Ship Date: 17MAR04
Actual Wgt: 2 LB
System#: 1231420/INET1800
Account#: S *****



Appendix B
Exhibit 1
Page 2 of 4

SHIP TO: (000)000-0000
PAUL RUDNICK

BILL SENDER

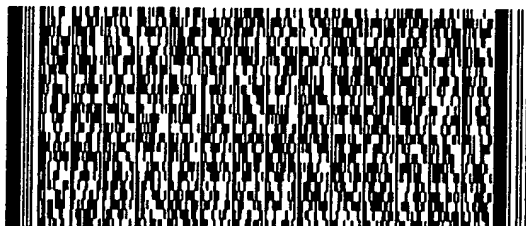
3650 OLD BLACKHAWK ROAD

DANVILLE, CA 94506

REF: 021479-000300US



Delivery Address Bar Code



PRIORITY OVERNIGHT

THU

TRK# 7924 5503 7818

FORM
0201

Deliver By:
18MAR04

OAK AA

94506 -CA-US
RES

WA NGZA

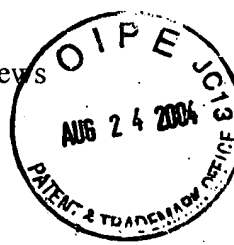


Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

[United States Home](#)[Information Center](#)[Customer Support](#)

Search

Package / Envelope Services

Freight Services

Same Day Services

Ship

Track

Rates

Pickup

Locations

Transit Time

International

FedEx® Express Signature Proof of Delivery No Signature Found

[? Quick Help](#)

Proof of delivery details appear below, however no signature is currently available for this FedEx Express shipment. At the time of shipment, the signature was released by the shipper/recipient (indicating that no signature was required).

You can also track

- [Signature](#)

Related Links

- [Track more](#)
- [My FedEx](#)

Shipment Information

Delivery Information

Signed for by: 17346768
Delivered to: 3650 OLD BLACKHAWK
ROAD
Delivery date: March 18, 2004
Delivery time: 1011
Shipper reference number: 021479-000300US

Shipping Information

Tracking number: 792455037818
Shipper: ELEANOR J. TAYLOR
TOWNSEND &
TOWNSEND & CREW
LLP
379 LYTTON AVE
PALO ALTO, CA
943011431
US

Your next step

- ☒ Online letter (no signature)
- ☐ Fax Letter (no signature)
- ☐ Make a new request

[Continue >>](#)

Please note

If you have any questions about this shipment, please [contact us](#).

[Global Home](#) | [Service Info](#) | [About FedEx](#) | [Investor Relations](#) | [Careers](#) | [fedex.com Terms of Use](#) | [Privacy Policy](#)

This site is protected by copyright and trademark laws under US and International law. All rights reserved. © 1995-2004 FedEx

[United States Home](#)[Information Center](#) | [Customer Support](#)[Search](#)[Package / Envelope Services](#)[Freight Services](#)[Same Day Services](#)[Ship](#)[Track](#)[Rates](#)[Pickup](#)[Locations](#)[Transit Time](#)[International](#)Track Shipments
Detailed Results[Printable Version](#) [Quick Help](#)

Tracking number 792455037818
 Signed for by 17346768
 Ship date Mar 17, 2004
 Delivery date/time Mar 18, 2004 10:11 am

Reference number 021479-000300US
 Delivered to Recipient
 Delivery location DANVILLE CA
 Service type Priority Pak

You can also track:

- [By Alternate](#)
- [By Email](#)
- [TCN \(Gov't\)](#)

Track other FedEx

- [FedEx Customer shipments](#)
- [FedEx Trade shipments](#)
- [International](#)

Date/time	Status	Location	Comments
Mar 18, 2004	10:11 am Delivered	DANVILLE CA	No signature required - release waiver on file
	10:11 am Delivered	DANVILLE CA	No signature required - release waiver on file
	8:07 am On FedEx vehicle for delivery	PLEASANTON CA	
	6:40 am Arrived at FedEx Destination Location	PLEASANTON CA	
	6:29 am Left FedEx Sort Facility	OAKLAND CA	
Mar 17, 2004	4:23 am Left FedEx Sort Facility	OAKLAND CA	
	9:36 pm Arrived at Sort Facility	OAKLAND CA	
	6:12 pm Left FedEx Origin Location	MENLO PARK CA	
	5:52 pm Left FedEx Origin Location	PALO ALTO CA	
	5:39 pm Picked up by FedEx	PALO ALTO CA	

[Wrong Address?](#)
 Reduce future mistakes
[FedEx Address Checker](#)

[Shipping Freight?](#)
 FedEx has LTL, air surface and air express multi piece packages and ocean freight.

[Signature proof](#)[Track more shipments](#)

Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From
 To

Add a message to this email.

[Send email](#)

[Global Home](#) | [Service Info](#) | [About FedEx](#) | [Investor Relations](#) | [Careers](#) | [fedex.com Terms of Use](#) | [Privacy Policy](#)

This site is protected by copyright and trademark laws under US and International law. All rights reserved. © 1995-2004 FedEx

TOWNSEND
and
TOWNSEND
and
CREW

San Francisco, California
Tel 415 576-0200

Denver, Colorado
Tel 303 571-4000

Walnut Creek, California
Tel 925 472-5000

Seattle, Washington
Tel 206 467-9600

Palo Alto

379 Lytton Avenue
Palo Alto
California 94301-1431
Tel 650 326-2400
Fax 650 326-2422

Appendix B
Exhibit 2
Page 1 of 4

March 18, 2004

Via FEDEX

Paul Rudnick
3650 Old Blackhawk Road
Danville, CA 94506

Re: US Patent Application No. 10/691,118
For: "PULL" ARCHITECTURE CONTACT CENTER
Inventors: Sudeep Rikhy and Paul Rudnick
Filed: October 21, 2003
Our File No.: 021479-000300US

Dear Paul:

Further to our letter of March 17, 2004, enclosed is a revised **Assignment and Supplemental Application Data Sheet** which reflects the new corporate address for 5 By 5 Networks.

Please sign and date the **Declaration** sent on March 17, 2004 and return by March 22, 2004. Additional, please sign and date the revised **Assignment** and return it to us in the enclosed self-addressed envelope as soon as possible. You can also return it via Fax to my attention at 650-326-2422.

If you have any questions, please call me at (650) 326-2400, x5470.

Very truly yours,



Daniel Mao

DM/ejt
Enclosures
60168877 v1

Appendix B
Exhibit 2
Page 2 of 4From: Origin ID: (650)326-2400
ELEANOR J. TAYLOR
TOWNSEND AND TOWNSEND AND CREW
379 LYTTON AVEShip Date: 18MAR04
Actual Wgt: 1 LB
System#: 1231420/INET1800
Account#: S *****

PALO ALTO, CA 94301

SHIP TO: (000)000-0000
PAUL RUDNICK

BILL SENDER

OLD BLACKHAWK ROAD

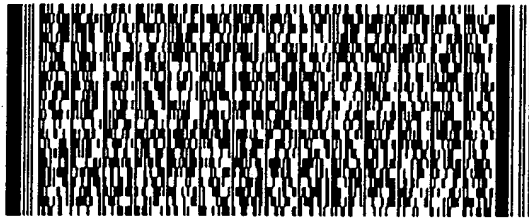
DANVILLE, CA 94506

REF: 021479-000300US



Delivery Address Bar Code

CLB031504



PRIORITY OVERNIGHT

FRI

Deliver By:
19MAR04

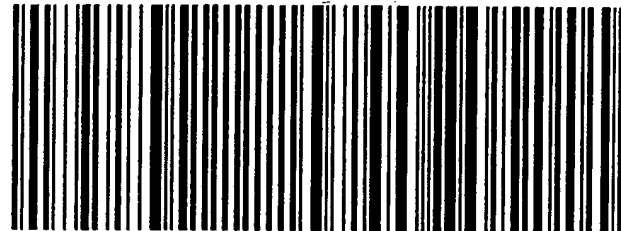
TRK# 7905 8362 9996

FORM
0201

OAK AA

94506 -CA-US
RES

WA NGZA



Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

[United States Home](#)[Information Center](#) | [Customer Support](#)

Search

Package / Envelope Services

Freight Services

Same Day Services

Ship

Track

Rates

Pickup

Locations

Transit Time

International

FedEx® Express Signature Proof of Delivery
No Signature Found[? Quick Help](#)

Proof of delivery details appear below, however no signature is currently available for this FedEx Express shipment. At the time of shipment, the signature was released by the shipper/recipient (indicating that no signature was required).

You can also track

- [Signature Proof of Delivery](#)

Related Links

- [Track more](#)
- [My FedEx](#)

Shipment Information

Delivery Information

Signed for by: 17346768
Delivered to: 3650 OLD
BLACKHAWK RD
Delivery date: March 22, 2004
Delivery time: 1637
Shipper reference number: 021479-000300US

Shipping Information

Tracking number: 790583629996
Shipper: ELEANOR J. TAYLOR
TOWNSEND &
TOWNSEND & CREW
LLP
379 LYTTON AVE
PALO ALTO, CA
943011431
US

Your next step

- ☒ Online letter (no signature)
- ☐ Fax Letter (no signature)
- ☐ Make a new request

[Continue >>](#)

Please note

If you have any questions about this shipment, please [contact us](#).

[Global Home](#) | [Service Info](#) | [About FedEx](#) | [Investor Relations](#) | [Careers](#) | [fedex.com Terms of Use](#) | [Privacy Policy](#)

This site is protected by copyright and trademark laws under US and International law. All rights reserved. © 1995-2004 FedEx

[United States Home](#)[Information Center](#)[Customer Support](#)[Search](#)[Package / Envelope Services](#)[Freight Services](#)[Same Day Services](#)[Ship](#)[Track](#)[Rates](#)[Pickup](#)[Locations](#)[Transit Time](#)[International](#)Track Shipments
Detailed Results[Printable Version](#) [Quick Help](#)

Tracking number 790583629996
Signed for by 17346768
Ship date Mar 18, 2004
Delivery date/time Mar 22, 2004 4:37 pm

Reference number 021479-000300US
Delivered to Recipient
Delivery location DANVILLE CA
Service type Priority Envelope

You can also track:

- [By Alternate](#)
- [By Email](#)
- [TCN \(Gov't\)](#)

Track other FedEx

- [FedEx Customer shipments](#)
- [FedEx Tracking shipments](#)
- [International](#)

Date/time	Status	Location	Comments
Mar 22, 2004	4:37 pm Delivered	DANVILLE CA	No signature required - release waiver on file
	4:37 pm Delivered	DANVILLE CA	No signature required - release waiver on file
	8:01 am On FedEx vehicle for delivery	PLEASANTON CA	
Mar 19, 2004	9:53 am Package status	PLEASANTON CA	Package in FedEx location
	8:44 am Delivery attempt	DANVILLE CA	Incorrect address
	6:30 am Arrived at FedEx Destination Location	PLEASANTON CA	
	4:36 am Left FedEx Sort Facility	OAKLAND CA	
Mar 18, 2004	9:34 pm Arrived at Sort Facility	OAKLAND CA	
	6:09 pm Left FedEx Origin Location	MENLO PARK CA	
	4:00 pm Picked up by FedEx	MENLO PARK CA	

[Wrong Address?](#)
Reduce future mistakes
[FedEx Address Checker](#)

[Shipping Freight?](#)
FedEx has [LTL](#), [air](#), [surface](#) and [air exp](#)
[multi piece packages](#)
and [ocean freight](#).

[Signature proof](#)[Track more shipments](#)

Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From
To

Add a message to this email.

[Send email](#)

[Global Home](#) | [Service Info](#) | [About FedEx](#) | [Investor Relations](#) | [Careers](#) | [fedex.com Terms of Use](#) | [Privacy Policy](#)

This site is protected by copyright and trademark laws under US and International law. All rights reserved. © 1995-2004 FedEx

TOWNSEND
and
TOWNSEND
and
CREW

San Francisco, California
Tel 415 575 0200

Denver, Colorado
Tel 303 571 1000

Madison, Wisconsin
Tel 608 477 5000

Seattle, Washington
Tel 206 397 5000

Palo Alto

1201 Green

Page 1 of 4

Page 1 of 4

Page 1 of 4

Page 1 of 4

Page 1 of 4

Appendix B
Exhibit 3
Page 1 of 4

April 30, 2004

Via FEDEX

Paul Rudnick
3650 Old Blackhawk Road
Danville, CA 94506

Re: US Patent Application No. 10/691,118
For: "PULL" ARCHITECTURE CONTACT CENTER
Inventors: Sudeep Rikhy and Paul Rudnick
Filed: October 21, 2003
Our File No.: 021479-000300US

Dear Paul:

This follows up on my letters of March 17, 2004 and March 18, 2004. The Patent Office has set a deadline for filing signed formal documents of March 22, 2004, although extensions of time are available. If you have decided not to review the materials and sign the documents, please let me know so that we act on that basis.

Enclosed are the **Declaration and Assignment**, and a copy of the patent application as filed with the U.S. Patent Office. All of these documents were also sent to you on March 17, 2004 and March 18, 2004. Please sign the declaration where indicated first, then sign and date the Assignment second. Also enclosed is a **Supplemental Application Data Sheet**. Any changes to your personal information can be made on this document and we will correct it before forwarding to the Patent Office.

Please feel free to call me at the number below. If I don't hear from you by **May 17, 2004**, I will assume that you are refusing to sign.

I have enclosed a FEDEX envelope for you to return the signed documents to me. Alternatively, you can fax the signed documents to my attention at (650) 326-2422.

Very truly yours,



Daniel Mao
Phone: (650) 752-2470
e-mail: dmao@townsend.com

DM/ejt
Enclosures
60205929 v1

From: Origin ID: (650)326-2400
ELEANOR J. TAYLOR
TOWNSEND AND TOWNSEND AND CREW
379 LYTTON AVE

PALO ALTO, CA 94301

FedEx
Express



CL6032404

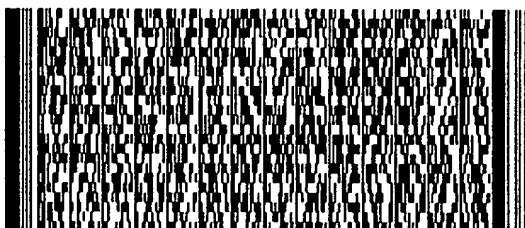
SHIP TO: (000)000-0000

BILL SENDER

Paul Rudnick

3650 Old Blackhawk Road

Danville, CA 94506



Ship Date: 30APR04
Actual Wgt: 2 LB
System#: 1231420/INET1800
Account#: S *****

REF: 021479-000300US



Delivery Address Bar Code

Appendix B
Exhibit 3
Page 2 of 4

PRIORITY OVERNIGHT

MON

Deliver By:
03MAY04

TRK# 7912 2877 1416

FORM
0201

OAK AA

94506 -CA-US
RES

WA NGZA



Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

[United States Home](#)

Search

Package / Envelope Services

Freight Services

Same Day Services

Ship

Track

Rates

Pickup

Locations

Transit Time

International

FedEx® Express Signature Proof of Delivery
No Signature Found[? Quick Help](#)

Proof of delivery details appear below, however no signature is currently available for this FedEx Express shipment. At the time of shipment, the signature was released by the shipper/recipient (indicating that no signature was required).

You can also track

- [Signature Proof of Delivery](#)

Related Links

- [Track more](#)
- [My FedEx](#)

Shipment Information

Delivery Information

Signed for by: 17346768
Delivered to: 3650 OLD BLACKHAWK
ROAD
Delivery date: May 3, 2004
Delivery time: 0947
Shipper reference number: 021479-000300US

Shipping Information

Tracking number: 791228771416
Shipper: ELEANOR J. TAYLOR
TOWNSEND &
TOWNSEND & CREW
LLP
379 LYTTON AVE
PALO ALTO, CA
943011431
US

Your next step

- ☒ Online letter (no signature)
- ☐ Fax Letter (no signature)
- ☐ Make a new request

[Continue >>](#)

Please note

If you have any questions about this shipment, please [contact us](#).

[Global Home](#) | [Service Info](#) | [About FedEx](#) | [Investor Relations](#) | [Careers](#) | [fedex.com Terms of Use](#) | [Privacy Policy](#)

This site is protected by copyright and trademark laws under US and International law. All rights reserved. © 1995-2004 FedEx

Track Shipments
Detailed Results[? Quick Help](#)

Tracking number 791228771416
Signed for by 17346768
Ship date Apr 30, 2004
Delivery date/time May 3, 2004 9:47 am

Reference number 021479-000300US
Delivered to Recipient
Delivery location DANVILLE CA
Service type Priority Pak

Date/time	Status	Location	Comments
May 3, 2004	9:47 am Delivered	DANVILLE CA	No signature required - release waiver on file
	9:47 am Delivered	DANVILLE CA	No signature required - release waiver on file
	8:02 am On FedEx vehicle for delivery	PLEASANTON CA	
May 1, 2004	6:10 pm Package status	PLEASANTON CA	Package not due for delivery
	7:22 am Arrived at FedEx Destination Location	PLEASANTON CA	
Apr 30, 2004	9:32 pm Arrived at Sort Facility	OAKLAND CA	
	6:18 pm Left FedEx Origin Location	PALO ALTO CA	
	6:11 pm Left FedEx Origin Location	MENLO PARK CA	
	5:23 pm Picked up by FedEx	PALO ALTO CA	

[Signature proof](#)[Track more shipments](#)

Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

Add a message to this email.

From
To

[Send email](#)